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Patent Docket P1469R1C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	Group Art Unit: 1643
Yvonne Man-yea Chen et al.	Examiner: Bristol, Lynn Anne
Serial No.: 10/624,153	Confirmation No: 2413
Filed: July 21, 2003	Customer No: 09157
Title: ANTIBODY VARIANTS	EXPRESS MAIL LABEL NO.: <u>EV 384 509 371 US</u>
	DATE OF DEPOSIT: <u>MARCH 27, 2006</u>

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This document is timely submitted in response to a Restriction Requirement mailed February 27, 2006 (Paper No. 20060217) for which a one-month period for response was given, making the document due on or before March 27, 2006 without payment of fees. Accordingly, this document is timely filed. In view of the discussion provided, reconsideration and allowance are respectfully requested.

Restriction and Election Requirements

In the outstanding Office Action, the Examiner has required restriction of the claims to one of the following groups under 35 U.S.C. §121:

- I. Claims 1-19, drawn to an antibody variant, classified in class 530, subclass 387.1.

- II. Claims 20-21, drawn to a method for producing an antibody variant, classified in class 435, subclass 69.1
- III. Claims 22-25, drawn to a method for making an antibody comprising identifying potential amino acid interactions between hypervariable region of a parent and the target antigen, preparing a variant, and selecting a variant, wherein the method involves molecular modeling and preparing variants displayed on phage, classified in class 435, subclass 5.
- IV. Claims 26-31, drawn to a nucleic acid, vector, host cell and a method of expression, classified in class 536, subclass 23.1, for example.

In response to the restriction requirement, Applicants hereby elect the claims of **Group I (Claims 1-19)** for further prosecution, without traverse.

Applicant expressly reserves the right under 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected subject matter, as well as any other matter disclosed in the present application which is not encompassed by the elected claims, during the pendency of the present application or an application claiming priority from this application.

Applicants believe that this document is timely submitted and that no fees are due. In the unlikely event that the transmittal letter is separated from this document and the U.S. Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Director to charge the cost of such petitions and/or other fees due in connection with the filing of this.

Respectfully submitted,

GENENTECH, INC.

Date: March 27, 2006

By:


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